

CHAPTER 12 SIDEWALKS**Secs.**

1200

Sidewalk Treatment in Historic Districts

1299

Definitions

1200 SIDEWALK TREATMENT IN HISTORIC DISTRICTS

- 1200.1 Except as provided for in §1200.2, this section shall be applicable to only the following historic districts:
- (a) Anacostia;
 - (b) Capitol Hill;
 - (c) Georgetown;
 - (d) LeDroit Park; and
 - (e) Logan Circle.
- 1200.2 Residents in an historic district not listed in §1200.1 may petition the Director to list the historic district in §1200.1. The Director, in consultation with the State Historic Preservation Officer for the District of Columbia, shall review the petition to determine whether this section shall be amended to include the historic district and shall take the appropriate action.
- 1200.3 The pavement materials for new sidewalk installation on a street zoned R or SP in an historic district shall be brick and sand.
- 1200.4 The pavement material for new sidewalk installation on a street zoned for commercial purposes in an historic district shall be brick on concrete.
- 1200.5 The abutting property owners shall be assessed the cost of new sidewalk installation performed pursuant to §§1200.3 and 1200.4 in the manner specified by D.C. Code §7-601 *et seq.* (1981).
- 1200.6 If the area to be repaired on a sidewalk on a street zoned R or SP in an historic district is twenty feet (20 ft.) or more in length and the full width of the sidewalk, the Department shall repair the sidewalk with brick on sand.
- 1200.7 If the area to be repaired on a sidewalk on a street zoned R or SP in an historic district is less than twenty feet (20 ft.) and the full width of the side walk, the Department shall repair the sidewalk with in-kind paving materials.

- 1200.8 If the area to be repaired on a sidewalk on a street zoned for commercial purposes in an historic district is twenty feet (20 ft.) or more in length and the full width of the sidewalk, the Department shall give notice to the abutting property owner(s) that the Department intends to repair the abutting sidewalk in not less than (30) days. This would be done to afford the property owners an opportunity to upgrade the sidewalk.
- 1200.9 Within thirty (30) days of the notice given pursuant to §1200.8, the abutting property owner may notify the Department in writing of the owner's requested pavement material, either brick on concrete or the existing pavement material, and shall inform the Department whether that property owner agrees to share in the cost of repairing the sidewalk with brick on concrete.
- 1200.10 The Department shall review the request(s) and shall finally determine which paving material shall be used based on the appropriateness, availability, and cost of the pavement materials, and based on any other pertinent factors. This determination shall be made within thirty (30) days of the date of receipt of the request.
- 1200.11 If the area to be repaired on a sidewalk on a street zoned for commercial purposes in an historic district is less than twenty feet (20 ft.), and the full width of the sidewalk, the Department shall repair the sidewalk with in-kind paving materials.
- 1200.12 For streets located in an historic district which have a mix of commercial and residential uses, or which are located in a waterfront zone, the Director shall determine, based on the primary character of the streets, which subsection of this section most appropriately applies to the streets.
- 1200.13 This section shall not apply to sidewalks in the Downtown Urban Renewal Area.

AUTHORITY: Unless otherwise noted, the authority for this chapter is §§ IV(A) and V of Reorganization Plan No. 4 of 1983, 30 DCR 6428 (December 16, 1983), effective March 1, 1984, and Mayor's Order 84-55, 31 DCR 1323 (March 16, 1984).

SOURCE: Final Rulemaking published at 32 DCR 1522, 1523 (March 15, 1985).

1299 DEFINITIONS

- 1299.1 When used in this chapter, the following terms and phrases shall have the following meanings ascribed:

Downtown Urban Renewal Area - the area as adopted by the National Capital Planning Commission and approved by the Council of the District of Columbia on July 5, 1983.

Historic District - an area of the District of Columbia listed on the *National Register of Historic Districts* or proposed by the D.C. Historic Review Board to be so listed. The boundaries of each historic district shall be as described in the *National Register*, except that where the historic district encompasses only a part of a specific street, the whole street shall be considered part of the historic district for the purpose of this chapter.

Sidewalk - the paved areas abutting a street or alley that are intended for the use of pedestrians and which are under the jurisdiction of the District of Columbia government.

SOURCE: Final Rulemaking published at 32 DCR 1522, 1523 (March 15, 1985).

